



500.39147X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshitada OSHIDA *et al.*
Serial No.: 09/678,652
Filed: October 4, 2000
For: METHOD OF INSPECTING A DNA CHIP AND AN APPARATUS THEREOF
Group: 1634
Examiner: Bradley L. Sisson
Conf. No.: 7028

STATEMENT OF SUBSTANCE/REQUEST FOR EXAMINER INTERVIEW

Commissioner for Patents
POB 1450
Alexandria, VA 22313-1450

21 July 2003

Sir:

A Notice of Appeal was filed in the present application on 21 April 2003. This Statement/Request is being filed concurrently with a Request for Continued Examination under 37 CFR §1.114. The following remarks are respectfully submitted in connection with the above-identified application.

REFUSAL OF EXAMINER INTERVIEW NOTED

Applicant courteously acknowledges the Examiner's refusal to grant an Interview after final rejection. Upon request of the Examiner, Applicant formally filed a Form PTOL-413A on 16 June 2003 to request an Examiner Interview after final rejection. Statement of Substance: during a teleconference with the Examiner on 23 June 2003, although receipt of the PTOL-413A was acknowledged, the Examiner indicated that no Interview after final rejection would be granted. The Examiner indicated that, should Applicant file any continuing application, Applicant should request an Examiner Interview in same.

REQUEST FOR EXAMINER INTERVIEW PRIOR TO FIRST ACTION

An Examiner Interview prior to first Office Action in this continuing or substitute application is respectfully requested. As stated in MPEP §713.02, "A request for an interview prior to first Office Action is ordinarily granted in continuing or substitute applications." Similarly, as stated in MPEP §706.07(b), "A request for an interview prior to first action on a continuing or substitute application should ordinarily be granted." The Examiner is respectfully requested to telephone the undersigned at the local DC area number 703-312-6600 for the purpose of scheduling an Examiner Interview. The Examiner is thanked in advance for such consideration. Contact also will be attempted by the undersigned to schedule an Examiner Interview.

CONCLUSION

A Petition for Extension of Time and Form PTO-2038 are being submitted concurrently herewith. To whatever other extent is actually necessary, Applicant petitions for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper to ATS&K Deposit Account No. 01-2135 (500.39147X00).

Respectfully submitted,



Paul J. Skwierawski, Registration No. 32,173
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209-3801, USA
Telephone 703-312-6600
Facsimile 703-312-6666

Concurrent Submissions:
RCE/EOT/PTO-2038